

**FILED**

JUL 23 2015

U.S. DISTRICT COUR<sup>I</sup>  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
v.                             )  
JOHN DAVID BERRETT,        )  
                                  )  
Defendant.                    )

No. **4:15CR336 CDP/JMB**

**INDICTMENT**

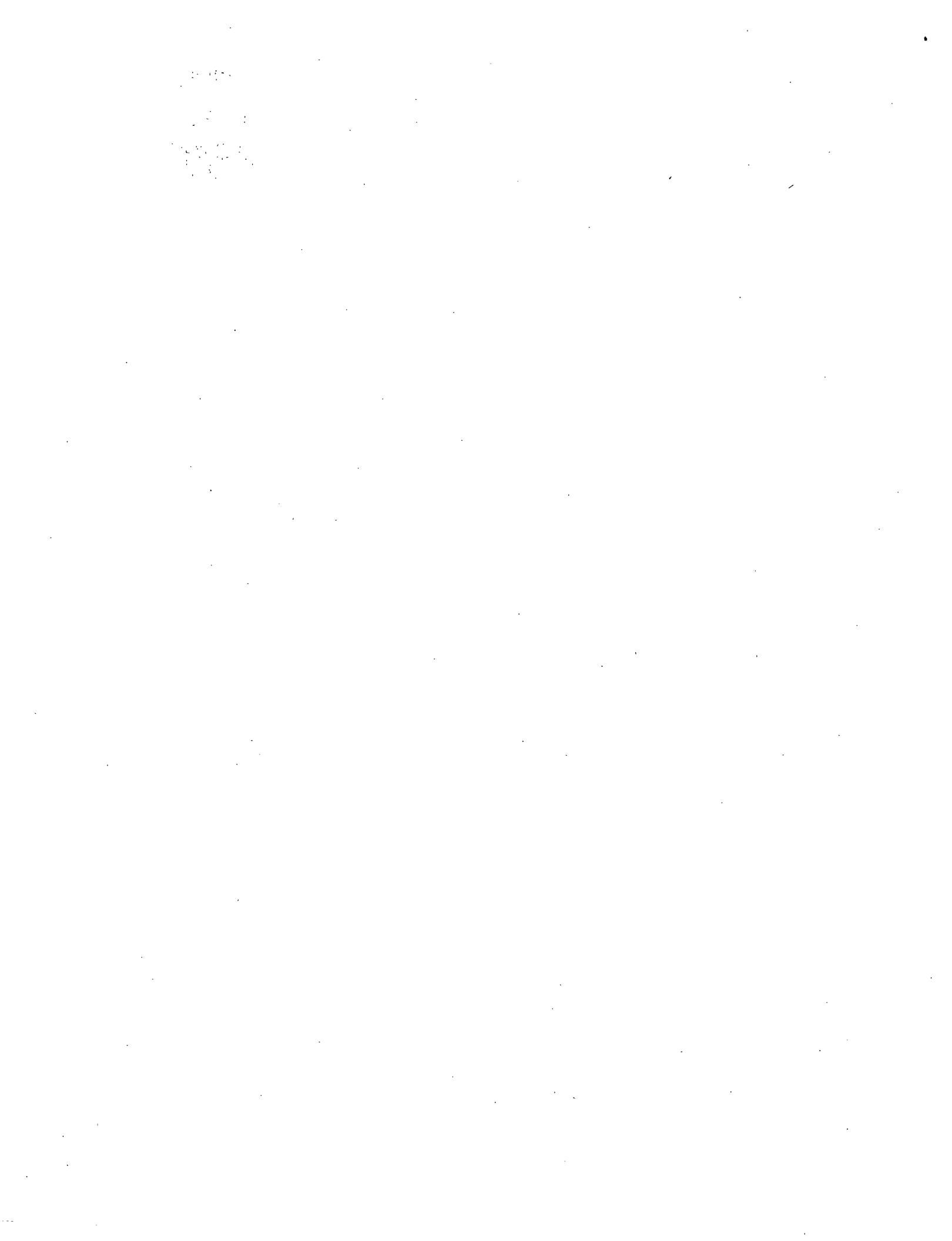
The Grand Jury charges that:

**INTRODUCTION**

1. At all times relevant to this indictment, World Wide Technology, Inc. (hereinafter "WWT") was a Maryland Heights, Missouri based company which provides information technology and supply chain solutions as a value-added reseller of such products and services that conducted business in the Eastern District of Missouri, and elsewhere.

2. In December, 2004, JOHN DAVID BERRETT, the defendant, was employed by WWT, initially as a Senior Engineer and eventually as a National Solutions Architect. BERRETT's job responsibilities included travel to meet with customers domestically and internationally to provide information technology (IT) training and support. BERRETT resided in Gilbert, Arizona.

3. In his position with WWT, BERRETT submitted reports via the internet to WWT located in Maryland Heights, Missouri detailing his expenses utilizing the company credit card ending in "2122" which was assigned to him.



4. During BERRETT'S employment, he improperly used the company credit card ending in "2122" to purchase "tokens" from "myfreecams.com," (hereinafter "MFC") a website wherein women perform stripping routines via a webcam.

5. During BERRETT'S employment, he utilized the "tokens" he improperly purchased with the company credit card ending in "2122" to tip the MFC online strippers in excess of 2200 times, totaling more than \$100,000.

6. During BERRETT'S employment, he also utilized the company credit card ending in "2122" to purchase a number of gifts for strippers he befriended, including but not limited to, chocolates, flowers, electronic equipment, wine, a television, handbag, laptop computer, iPod, and shoes. Additionally, BERRETT also improperly used the company credit card ending in "2122" to purchase a sexual device for himself.

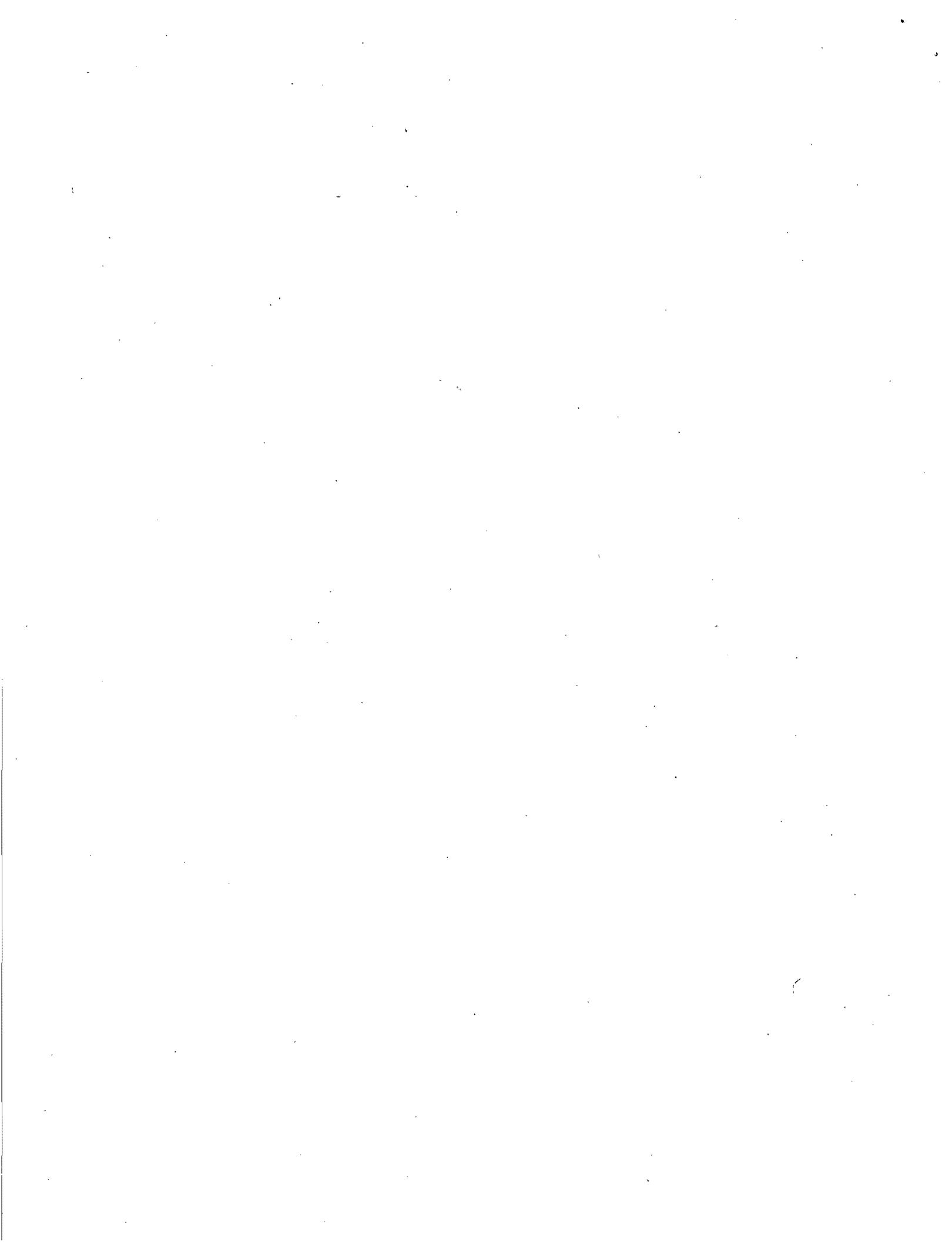
7. During BERRETT'S employment, he utilized the company credit card ending in "2122" to send cash totaling \$26,800 to an online stripper to pay for her college tuition bill, new tires for her car and pay her parent's utility bill.

8. In total, from approximately September 16, 2013, until approximately October 21, 2014, BERRETT falsely and fraudulently redirected more than \$476,000 of WWT's funds for his personal gain.

#### **DEFENDANT'S SCHEME**

9. To conceal the true nature of his expenditures, BERRETT submitted expense reports to WWT in which he claimed he was purchasing training materials, computer networking supplies, and traveling to meet with, train, and entertain WWT customers.

10. To substantiate his claimed expenses, BERRETT falsified invoices and submitted



them, along with legitimate expenses, in his reports to WWT, making it appear he purchased materials and assistance from legitimate vendors.

**COUNT ONE**  
**WIRE FRAUD**

The Grand Jury Charges that:

11. Beginning in or about September 16, 2013 and continuing through on or about October 21, 2014, in the Eastern District of Missouri and elsewhere, the defendant,

**JOHN DAVID BERRETT,**

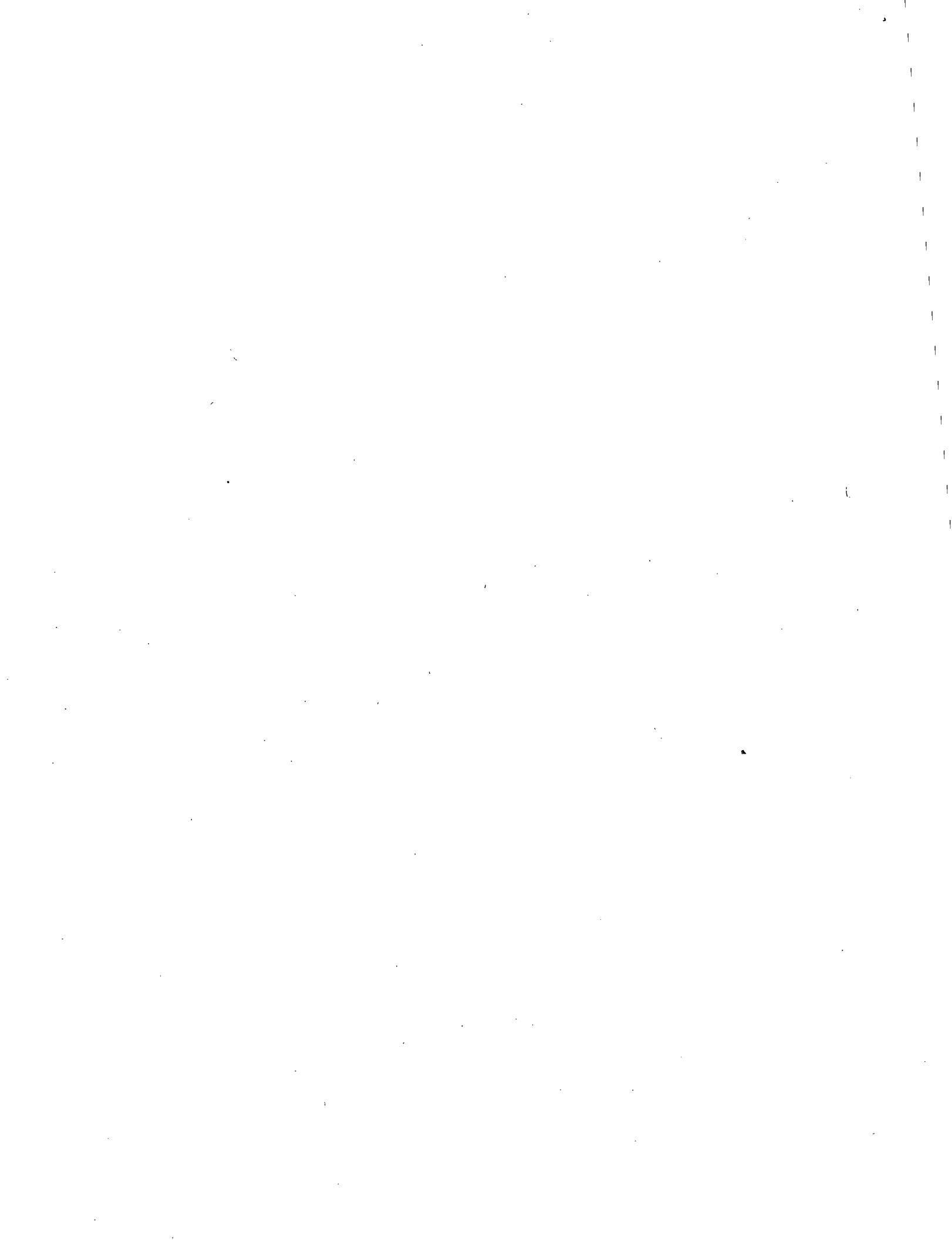
did knowingly devise and intend to devise a scheme and artifice to defraud WWT and to obtain money from WWT by means of materially false and fraudulent pretenses, representations, and promises.

12. The allegations made in paragraphs 1 – 11 above of this indictment are incorporated as though they are set forth in full herein.

13. On or about April 14, 2014, in the Eastern District of Missouri, and elsewhere, having devised the above-described scheme and artifice to defraud and to obtain money through false and fraudulent pretenses and representations for the purpose of executing or attempting to execute that scheme, the defendant

**JOHN DAVID BERRETT,**

did knowingly cause to be transmitted by means of wire communication in interstate commerce for the purpose of executing the scheme described above and attempting to do so, expense report W470564 which included \$131.08 for a “Training Guide” for “Training/Seminars” and a purported invoice from “examkiller.com” which listed a purchase of “E20-E45 Practice Questions and Answers!” when in fact the charges were from Interactive Life Forms, Fleshlight’s parent



Company, an online retailer, which bills itself as the “top selling pleasure products brand for men,” with said wire transfer communication being made from BERRETT in Arizona to WWT in Maryland Heights, Missouri, which represented the fraudulent expenses submitted by defendant, which he was not entitled to receive from his employer, WWT.

In violation of Title 18, United States Code, Section 1343.

**COUNT TWO**  
**WIRE FRAUD**

The Grand Jury further charges that:

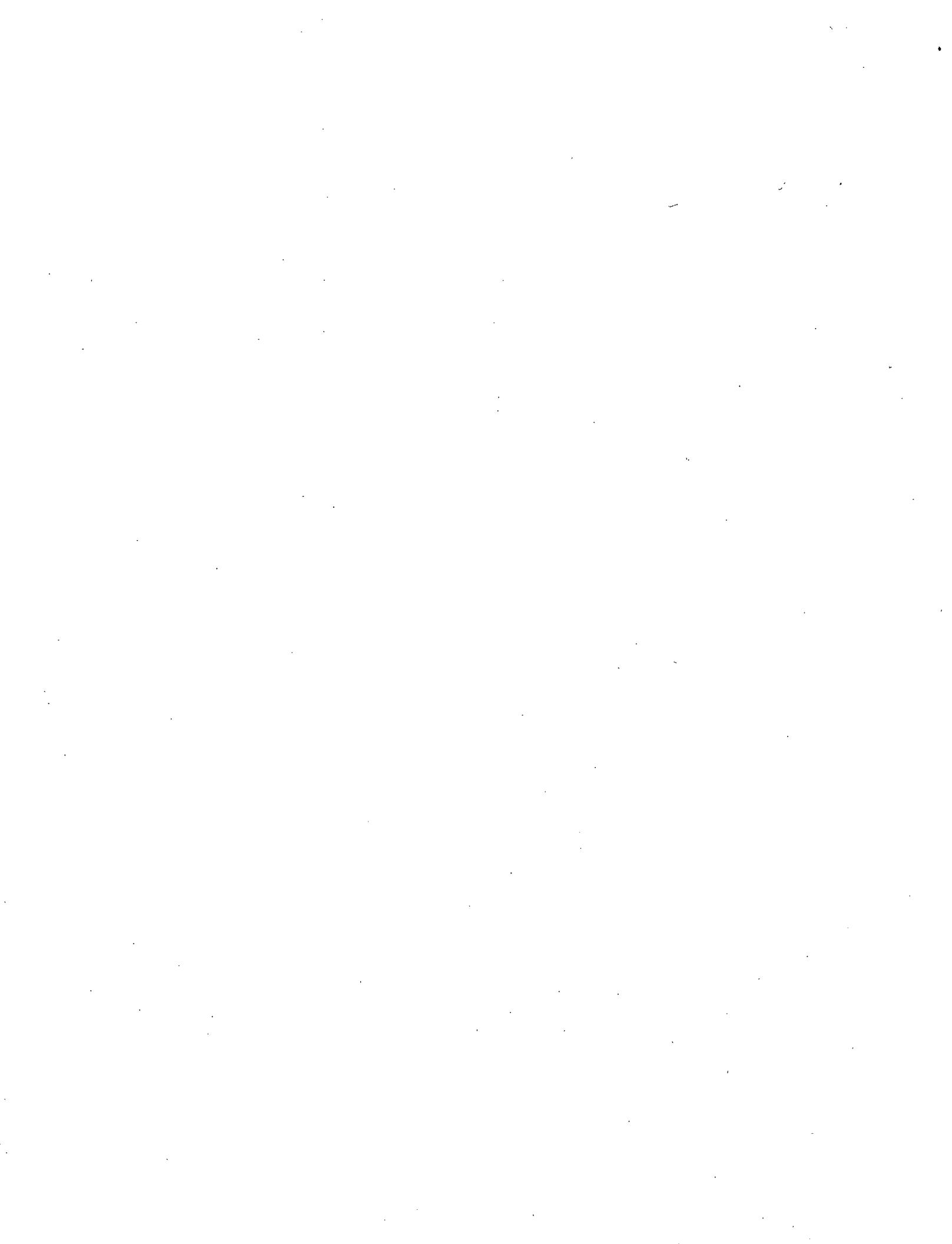
14. The allegations made in paragraphs 1 – 11 of this indictment are incorporated as though they are set forth in full herein.

15. On or about May 14, 2014, in the Eastern District of Missouri, and elsewhere, having devised the above-described scheme and artifice to defraud and to obtain money through false and fraudulent pretenses and representations for the purpose of executing or attempting to execute that scheme, the defendant

**JOHN DAVID BERRETT,**

did knowingly cause to be transmitted by means of wire communication in interstate commerce for the purpose of executing the scheme described above and attempting to do so, expense report W473176 which included \$226.50 for “Bribe for UNIX guys” when in fact the charges were for the purchase and shipment of wine from Gold Medal Wine Club, an online retailer, for an online stripper, “L.M.,” with said wire transfer communication being made from BERRETT in Arizona to WWT in Maryland Heights, Missouri, which represented the fraudulent expenses submitted by defendant, which he was not entitled to receive from his employer, WWT.

In violation of Title 18, United States Code, Section 1343.



**COUNT THREE**  
**WIRE FRAUD**

The Grand Jury further charges that:

16. The allegations made in paragraphs 1 – 11 of this indictment are incorporated as though they are set forth in full herein.
17. On or about July 28, 2014, in the Eastern District of Missouri, and elsewhere, having devised the above-described scheme and artifice to defraud and to obtain money through false and fraudulent pretenses and representations for the purpose of executing or attempting to execute that scheme, the defendant

**JOHN DAVID BERRETT,**

did knowingly cause to be transmitted by means of wire communication in interstate commerce for the purpose of executing the scheme described above and attempting to do so, expense report W478517 in the amount of \$10,799.82 for “MFC Consulting”@\$599.99 per block,” from a vendor called “MFC Training Systems” when in fact the charges were from MyFreeCams.com, an online chat and stripper site, with said wire transfer communication being made from BERRETT in Arizona to WWT in Maryland Heights, Missouri, which represented the fraudulent expenses submitted by defendant, which he was not entitled to receive from his employer, WWT.

In violation of Title 18, United States Code, Section 1343.

**COUNT FOUR**  
**WIRE FRAUD**

The Grand Jury further charges that:

18. The allegations made in paragraphs 1 – 11 of this indictment are incorporated as though they are set forth in full herein.



19. On or about October 5, 2014, in the Eastern District of Missouri, and elsewhere, having devised the above-described scheme and artifice to defraud and to obtain money through false and fraudulent pretenses and representations for the purpose of executing or attempting to execute that scheme, the defendant

**JOHN DAVID BERRETT,**

did knowingly cause to be transmitted by means of wire communication in interstate commerce for the purpose of executing the scheme described above and attempting to do so, expense report W486373 in the amount of \$2,282.44 for "Replacements for DISA ESSII," in charges made to Amazon.com, an online retailer, purportedly for various equipment including fiber optic cables, computer disk drives, patch cords, and other computer cables when in fact the charges were from Amazon.com for "Yamaha Arius Digital Piano with Bench", "Yamaha Monitor Headphones", and a "SquareTrade 3-Year Musical Instruments Accident Protection Plan," for an online stripper, "L.B." with said wire transfer communication being made from BERRETT in Arizona to WWT in Maryland Heights, Missouri, which represented the fraudulent expenses submitted by defendant, which he was not entitled to receive from his employer, WWT.

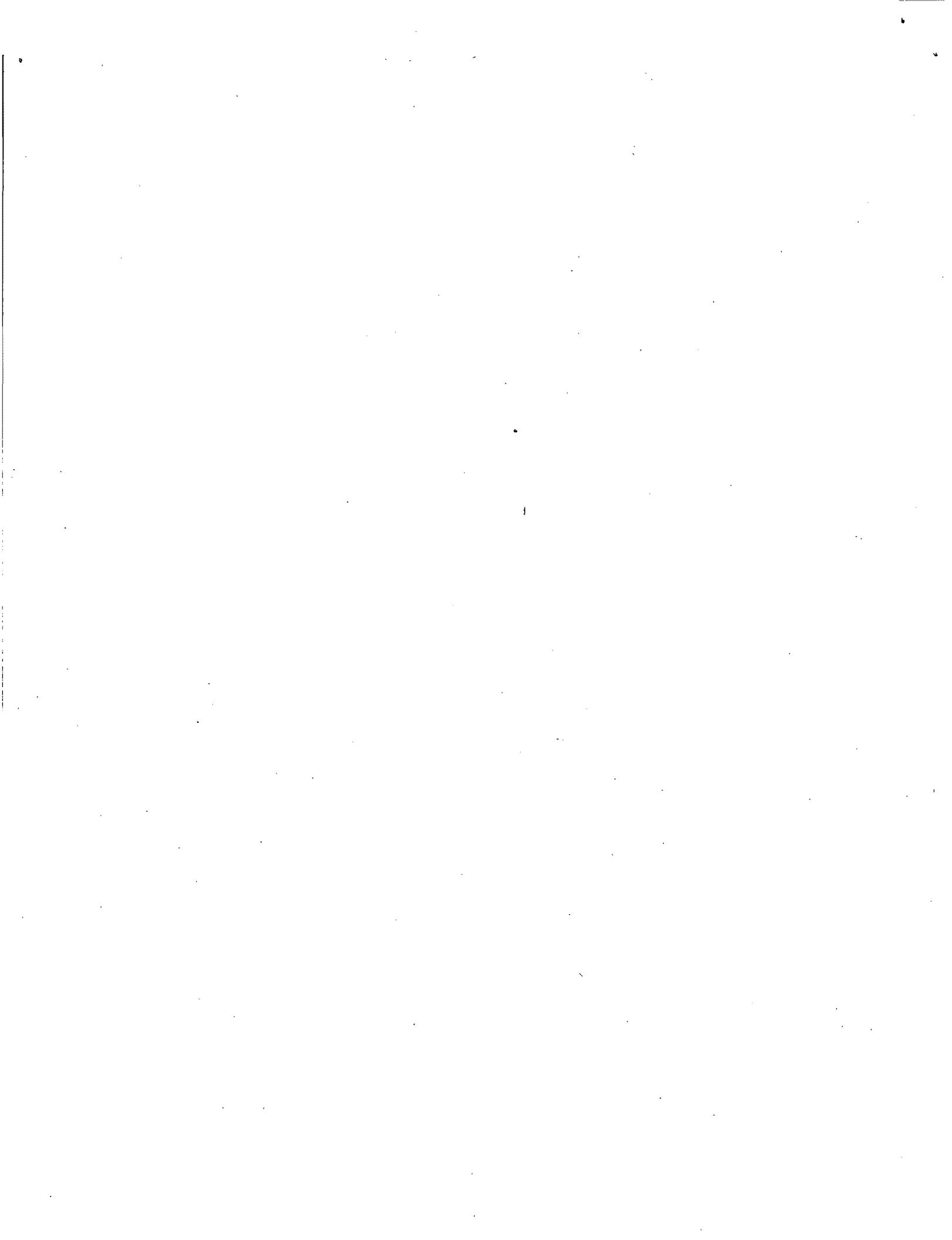
In violation of Title 18, United States Code, Section 1343.

**COUNT FIVE**  
**WIRE FRAUD**

The Grand Jury further charges that:

20. The allegations made in paragraphs 1 – 11 of this indictment are incorporated as though they are set forth in full herein.

21. On or about August 15, 2014, in the Eastern District of Missouri, and elsewhere, having devised the above-described scheme and artifice to defraud and to obtain money through



false and fraudulent pretenses and representations for the purpose of executing or attempting to execute that scheme, the defendant

**JOHN DAVID BERRETT,**

did knowingly cause to be transmitted by means of wire communication in interstate commerce for the purpose of executing the scheme described above and attempting to do so, expense report W483267 which included \$10,804.80 for "Computer Software," and a purported invoice from "nextwarehouse" which listed a purchase of "Red Hat Enterprise" [software] in charges, including fees, to PayPal, an online payment service, when in fact the payment was made to an online stripper, "L.M.," with said wire transfer communication being made from BERRETT in Arizona to WWT in Maryland Heights, Missouri, which represented the fraudulent expenses submitted by defendant, which he was not entitled to receive from his employer, WWT.

In violation of Title 18, United States Code, Section 1343.

**FORFEITURE ALLEGATION**

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 18, United States Code, Sections 981(a) and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 18, United States Code, Section 1343 as set forth in Counts 1 through 5, the defendant shall forfeit to the United States of America any property, real or personal, constituting or derived from any proceeds traceable to said offense.
2. Subject to forfeiture is a sum of money equal to the total value of any property, real or personal, constituting or derived from any proceeds traceable to said offense.
3. If any of the property described above, as a result of any act or omission



of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America will be entitled to the forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL.

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FOREPERSON

RICHARD G. CALLAHAN  
United States Attorney

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KENNETH R. TIHEN, #37325  
Assistant United States Attorney

